

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231In re application of: Kramer, et al.
Serial No.: 09/856.723
Filed: May 24, 2001
For: REGULATORY PROTEIN PRESENTED FROM HUMAN KERATINOCYTES

Box SEQ

Sir:

Transmitted herewith is a **Response to Notification of Missing Requirements** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)	PRESENT
	REMAINING	HIGHEST	
	AFTER	PREVIOUSLY	
	AMENDMENT	PAID FOR	EXTRA
TOTAL CLAIMS	* Minus**	=	0
INDEP. CLAIMS	* Minus***	=	0
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

SMALL ENTITY		OR	LARGE ENTITY	
RATE	FEE		RATE	FEE
x \$ 9	\$		x \$ 18	\$
x \$ 40	\$		x \$ 80	\$
+ \$ 135	\$		+ \$ 270	\$

TOTAL: \$ OR TOTAL: \$

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:
☐ Petition for extension under 37 C.F.R. 1.136 (in duplicate)
☒ Other: **Response to Sequence Listing Requirement and Preliminary Amendment;
 Sequence Listing in Computer Readable Form and corresponding paper copy;
 Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide
 Sequence and/or Amino Acid Sequence Disclosures;
 Executed Declaration**
- ☒ Check(s) in the amount of **\$130.00** is/are attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Petition fee for extension under 37 C.F.R. 1.136
☒ **Surcharge for late submission of executed Declaration**
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
☒ Any patent application processing fees under 37 C.F.R. 1.17.
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

William C. Gehris, Reg. No. 38,156
 DAVIDSON, DAVIDSON & KAPPEL, LLC
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 New York, New York 10018
 Tel: (212) 736-1940
 Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on September 7, 2001.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY



113.1012

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: **Michael KRAMER, et al.**
Serial No.: 09/856,723
Filed: May 24, 2001
For: **REGULATORY PROTEIN PKE#83 FROM HUMAN KERATINOCYTES**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

BOX: MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

September 7, 2001

Sir:

In response to the Notification of Missing Requirements dated July 9, 2001, a copy of which is enclosed, please find an executed Declaration/Power of Attorney form signed by the inventors, and a check in the amount of \$130.00 covering the filing surcharge. A Response to the Notification to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures also accompanies this response, along with a paper and computer readable copy of the sequence listing.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

09/24/2001 MKAYPAGH 00000101 09856723

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By

William C. Gehris
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on September 7, 2001.

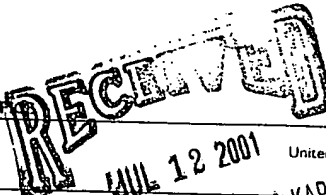
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:

Janice Wallace



9/17/01
UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

09/856723

BECHTEL

DAVIDSON, DAVIDSON & KAPPEL

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INTERNATIONAL APPLICATION NO.

PCT/DE99/03732

I.A. FILING DATE

PRIORITY DATE

11/19/99

11/26/98

DATE MAILED:

07/09/01

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application.
- ☐ Oath or Declaration of inventor(s).
- ☐ Copy of Article 19 amendments.
- ☒ Priority Document.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Indication of Small Entity Status.
- ☒ Translation of the international application into English.
- ☐ Translation of Article 19 amendments into English.
- ☐ Other:

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OFFICE OF PETITIONS

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee.
- ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

- Enclosed: ☐ PCT/DO/EO/917
- ☐ PTO-875
- ☐ Notice of Defective Translation
- ☐ PCT/DO/EO/920

Lamont Hunter, Paralegal

Telephone: 703 305-3686

FORM PCT/DO/EO/905 (March 2001)

Excelon 7/13
Remon 7/13
9/9/01 File Missing
Reto
8/9/01 Reminder
CSK/WCG/CRM

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